

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TAG HEUER, S.A.,

Plaintiff,

-against-

FREHA, INC., d/b/a DIAMONDS & DIALS
and ADAM GINDY,

Defendants.
-----X

Civil Action No. 08 CV 4493 (DC)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
 ss:
COUNTY OF NEW YORK)

MARIO F. ORTIZ, being duly sworn, deposes and says:

1. I am over 18 years of age and am not a party to this action. I reside in the New York, New York.

2. On Monday, May 19, 2008, at approximately 3:00 p.m., I arrived at Freha, Inc., d/b/a Diamonds & Dials, 106 West 34th Street, New York, NY 10001, (the "Premises") to serve Freha, Inc., d/b/a Diamonds & Dials and Adam Gindy ("Defendants") true and correct copies of the following:

- A. Summons and Complaint with attached Exhibit A,
- B. Individual Practices of Honorable Denise Cote,
- C. USDC/SDNY Instructions for Filing an Electronic Case or Appeal,
- D. USDC/SDNY Procedures for Electronic Case Filing,
- E. USDC/SDNY Guidelines for Electronic Case Filing.

(the "Documents").

3. At the Premises I inquired whether Mr. Gindy was present. An individual who identified himself as Jimmy the Sales Manager informed me that Mr. Gindy was not. I explained to Jimmy that I was there to serve the Documents to the Defendants, and he responded that he was not going to for sign anything. I informed Jimmy that his signature was not required. I showed Jimmy the Documents and asked him to confirm that I was delivering them at the correct address. He did so. I then placed the Documents on the counter and left them under his care.

4. As I departed the Premises, Jimmy was browsing the Documents.

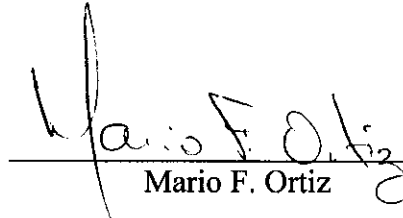
5. Jimmy is a white male, with black hair and is approximately 5'9" and 200 lbs.

6. On this same day I mailed true and correct copies of the Documents, by enclosing the Documents in post-paid envelopes marked "personal and confidential" and not indicating on the outside thereof that the communication was from an attorney or concerned an action against Defendants, and deposited said envelopes, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to Freha, Inc., d/b/a Diamonds & Dials and Adam Gindy (Exhibit A) at their last known business address set forth:

Freha, Inc.
d/b/a Diamonds & Dials
106 West 34th St.
New York, NY 10001

and

Adam Gindy
c/o Freha, Inc.
d/b/a Diamonds & Dials
106 West 34th St.
New York, NY 10001


Mario F. Ortiz

Sworn to before me on this
5th day of June 2008


Notary Public

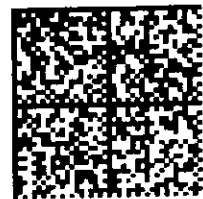


Exhibit A

PERSONAL AND CONFIDENTIAL

**Freha, Inc.
d/b/a Diamonds & Dials
106 West 34th Street
New York, NY 10001**

PERSONAL AND CONFIDENTIAL



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PERSONAL AND CONFIDENTIAL

Adam Gindi
c/o Freha, Inc.,
d/b/a Diamonds & Dials
106 West 34th Street
New York, NY 10001

PERSONAL AND CONFIDENTIAL



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